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Practitioner's Docket No.: 47793/57543

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

[ X ] Applicant(s): Hasegawa et al.

Serial No.: 09/900,794

Filed: July 6, 2001

For: Image Recording Apparatus and Image Recording Method

Patent No.\*:

Issued:

*\*NOTE: Insert name(s) of all inventor(s) and title also for patent.*

Assistant Commissioner for Patents  
Washington, D.C. 20231

**POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST  
(REVOCATION OF PRIOR POWERS)**

As assignee of record of the entire interest of the above identified

[ X ] NonProvisional Application,

[ ] patent,

**RECEIVED**

**SEP 18 2002**

**Technology Center 2600**

**REVOCATION OF PRIOR POWERS OF ATTORNEY**

all powers of attorney previously given are hereby revoked and

**NEW POWER OF ATTORNEY**

the following attorney(s) and/or agent(s) are hereby appointed to prosecute and transact all business in the Patent and Trademark Office connected therewith.

*(list name and registration number)*

Peter F. Corless (Reg. No. 33,860)  
David A. Tucker (Reg. No. 27,840)  
David G. Conlin (Reg. No. 27,026)  
George W. Neuner (Reg. No. 26,964)  
Linda M. Buckley (Reg. No. 31,003)  
Peter J. Manus (Reg. No. 26,766)  
T. Carter Pledger (Reg. No. 29,424)  
Dianne M. Rees (Reg. No. 45,281)

Cara Z. Lowen (Reg. No. 38,227)  
Robert L. Buchanan (Reg. No. 40,927)  
Christine C. O'Day (Reg. No. 38,256)  
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Kathryn A. Piffat, Ph.D. (Reg. No. 34,901)  
Richard J. Roos (Reg. No. 45,053)  
Peter J. Manso (Reg. No. 32,264)  
John J. Penny, Jr. (Reg. No. 36,984)

*(check the following item, if applicable)*

[ X ] Attached, as part of this power of attorney, is the authorization of the above-named attorney(s) to accept and follow instructions from my representative(s).

**SEND CORRESPONDENCE TO:**

John J. Penny, Esq. (Reg. No. 36,984)  
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IBM Japan, Ltd.  
(type or print identity of assignee of entire interest)

Address  
2-12, Roppongi 3-chome, Minato-ku, Tokyo,  
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Advanced Technology and Systems Co., Ltd.

Yokohama Business Park, East Tower 9F  
134, Goudo-cho, Hodogaya-ku,  
Yokohama-shi, Kanagawa-ken, Japan

[ X ] Recorded in PTO on July 6, 2001  
Reel 012055  
Frame 0247  
[ ] Recorded herewith

**ASSIGNEE STATEMENT**

Attached to this power is a "STATEMENT UNDER 37 C.F.R. 3.73(b)."

Tak Otoshi Date: 8/30/2002  
Signature

Takuma OTOSHI  
(type or print name of person authorized to sign on behalf of assignee)

President, IBM Japan, Ltd.  
Title

Kiyoshi Iwai Date: Aug 14, 2002  
Signature

Kiyoshi IWAI  
(type or print name of person authorized to sign on behalf of assignee)

Executive Managing Director, Division Operations  
Title

*NOTE: The assignee of the entire interest may revoke previous powers and be represented by an attorney of his or her selection. 37 C.F.R. 1.36.*

*(check the following item, if it forms a part of this power of attorney)*

☐ Added page—Authorization of attorney(s) to accept and follow instructions from representative.

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Washington, D.C. 20231

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STATEMENT UNDER 37 C.F.R. § 3.73(b)  
ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION

Technology Center 2600

CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10\*

(When using Express Mail, the Express Mail label number is **mandatory**;  
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

[ X ] deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, on 9/11/02

37 C.F.R. 1.8(a)

37 C.F.R. 1.10\*

[ ] with sufficient postage as first class mail.

[ ] as "Express Mail Post Office to Addressee"  
Mailing Label No. \_\_\_\_\_  
(mandatory)

(type or print name of person certifying)

(type or print name of person certifying)

FACSIMILE TRANSMISSION

[ ] transmitted by facsimile to the Patent and Trademark Office.

Signature

Hegma M. Edwark

(type or print name of person certifying)

Date: 9/11/02

\*WARNING:

Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

NOTE: 37 CFR 3.73(b) states: "When an assignee seeks to take action in a matter before the Office with respect to a patent application, ..., patent, registration, or reexamination proceeding, the assignee must establish its ownership of the property to the satisfaction of the Commissioner. Ownership is established by submitting to the Office, in the Office file related to the matter in which action is sought to be taken, documentary evidence of a chain of title from the original owner to the assignee (e.g., copy of an executed assignment submitted for recording) or by specifying (e.g., reel and frame number) where such evidence is recorded in the Office. The submission establishing ownership must be signed by a party authorized to act on behalf of the assignee. Documents submitted to establish ownership may be required to be recorded as a condition to permitting the assignee to take action in a matter pending before the Office."

NOTE: The PTO points out, in the Notice of June 24, 1992 (1140 O.G. 63-72, at 66), that "[a]dditionally, when a patent assignee is not represented by an attorney or registered agent, a statement by the assignee must also be submitted stating that the evidence has been reviewed and certifying that, to the best of the party's knowledge and belief, title is in the party seeking to take action."

1. The assignee(s) of the entire right, title and interest hereby seek(s) to take action in the PTO in this matter.

#### IDENTIFICATION OF ASSIGNEE

2. IBM Japan, Ltd.  
Name of assignee  
Corporation  
Type of assignee, e.g., corporation, partnership, university, government agency, etc.
- Advanced Technology and Systems Co., Ltd.  
Name of assignee  
Corporation  
Type of assignee, e.g., corporation, partnership, university, government agency, etc.

#### PERSON AUTHORIZED TO SIGN

3. Takuma OTOSHI  
(type name of person authorized to sign on behalf of assignee)  
President, IBM Japan, Ltd.  
Title of person authorized to sign
- Kiyoshi IWAI  
(type name of person authorized to sign on behalf of assignee)  
Executive Managing Director, Division Operations  
Title of person authorized to sign

NOTE: The Notice of April 30, 1993 (1150 O.G. 62-64) points out:

"The statement under 37 CFR 3.73(b) may be signed on behalf of the assignee in the following two manners if the assignee is an organization (e.g., corporation, partnership, university, government agency, etc.).

"(1) The statement may be signed by a person in the organization having apparent authority to sign on behalf of the organization. An officer (president, vice-president, secretary, or treasurer) is presumed to have authority to sign on behalf of the organization. The signature of the chairman of the board of directors is acceptable, but not the signature of an individual director. A person having a title (manager, director, administrator, general counsel) that does not clearly set forth that person as an officer of the assignee is not presumed to be an officer of the assignee or to have authority to sign the statement on behalf of the assignee. A power of attorney from the inventors in an organization to a practitioner to prosecute a patent application does not make the practitioner an official of an assignee or empower the practitioner to sign the statement on behalf of the assignee.

"(2) The statement may be signed by any person, if the statement includes an averment that the person is empowered to sign the statement on behalf of the assignee and, if not signed by a registered practitioner, the statement must be in oath or declaration form. Where a statement does not include such an averment, and the person signing does not hold a position in the organization that would give rise to a presumption that the person is empowered to sign the statement on behalf of the assignee, evidence of the person's authority to sign will be required."

(complete the following, if applicable)

☒ I, the person signing below, state that I am empowered to sign this statement on behalf of the assignee.

#### **BASIS OF ASSIGNEE'S INTEREST**

Ownership by the assignee is established as follows:

**A.**

1. ☒ An assignment from the inventor(s) of the matter identified above, which was recorded in the PTO on July 6, 2001 at Reel 012055, Frame 0247.

2. ☐ An assignment (document) separately being submitted for recordal herewith.

#### **AND/OR**

**B.** ☐ A chain of title from the inventor(s) to the current assignee as shown below:

1. From: \_\_\_\_\_  
Name of inventor(s)

To: \_\_\_\_\_  
Recorded in PTO: Reel \_\_\_\_\_, Frame

2. From: \_\_\_\_\_  
Name of inventor(s) or assignee

To: \_\_\_\_\_  
Recorded in PTO: Reel \_\_\_\_\_, Frame

3. From: \_\_\_\_\_  
Name of inventor(s) or assignee

To: \_\_\_\_\_  
Recorded in PTO: Reel \_\_\_\_\_, Frame

(check item below, and add details, if applicable)

☐ Additional documents in the chain of title are listed in the attached Supplemental Sheet.

#### **COPIES OF DOCUMENTS IN CHAIN OF TITLE**

(complete this item, if copies are being sent)

☐ Copies of the assignment(s) or other document(s) in the chain of title are attached as follows:

☐ A ☐ 1 ☐ 2  
☐ B ☐ 1 ☐ 2 ☐ 3

Tak Oton

SIGNATURE OF AUTHORIZED PERSON

Takuma OTOSHI

(type or print name of authorized person)

President, IBM Japan, Ltd.

Title of authorized person

Date: 8/30/2002

Kiyoshi Iwai  
SIGNATURE OF AUTHORIZED PERSON

Kiyoshi IWAI

(type or print name of authorized person)

Executive Managing Director, Division  
Operations

Title of authorized person

Date: Aug 14, 2002

John J. Penny, Jr.  
SIGNATURE OF PRACTITIONER

John J. Penny, Jr.

(type or print name of practitioner)

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